

Chairperson
Bernard Frezza

Vice-Chairperson
Anthony Piloizzi

Secretary
Joseph Anzelone

Counsel for the Board
Joseph Ballirano, Esq.



Building Official
Bernard J. Nascenzi, C.B.O.

Zoning Board Members
Richard Fascia
Thomas Lopardo

Alternate Board Members
Dennis Cardillo
Albert Colannino

Recording Secretary
Holli Stott

JOHNSTON ZONING BOARD OF REVIEW
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MINUTES

January 31, 2013

The Zoning Board of Review held its monthly meeting on the 31st day of January 2013 at 7:00 p.m., at the Johnston Senior Center, 1291 Hartford Avenue, Johnston, RI. All persons interested in the following proposals had been requested to be present at this time.

Present: Bernard Frezza, Chairperson, Anthony Piloizzi, Vice-Chairman, Joseph Anzelone, Albert Colannino, Thomas Lopardo and Dennis Cardillo. Also present: Holli Stott, Recording Secretary, Joseph Ballirano, Esq., Bernard Nascenzi, Zoning Officer and Lisa M. Reis, Stenographer.

Mr. Piloizzi made the motion to approve the minutes of last months meeting. Mr. Anzelone seconded. A voice vote was taken; all in favor.

Mr. Piloizzi made a few announcements... First his condolences to Mr. Colannino on the passing of his mother and an apology to Mr. Ballirano regarding the cancelation of December's meeting in contacting a few of the members of the board he failed to do so and he apologized in not following through in making the phone calls.

A. File 2011-45

LOCATION: 23 Tartaglia Street
OWNER: Maria Gunson/Felippo Aceto
APPLICANT: R&M Builders
LOT: AP 27 Lot 136, 240; 3.06 acres; R-20 Zone
EXISTING USE: Single Family Dwelling
PROPOSAL: Lot to be reconfigured, shed removed and no alterations/additions to existing house

Dimensional Variance petitioned under Article III, Section F, Table III F-1

	DIMENSION	MINIMUM REQUIRED	PROPOSED	RELIEF REQUESTED
SETBACKS:	— FRONT	30'	11'	19'

Mr. Al Russo, attorney for the applicant, was sworn in and he explained to the board that this project was approved back in September of 2011 and the reason why they are back is because they did not notify on particular abutter. So they re-advertised and re-noticed all abutters.

No abutters for or against.

Mr. Pilozzi made the motion to approve with the same stipulations as they did in September 2011. Mr. Anzelone seconded. A voice vote was taken; all in favor.

Mr. Nascenzi brought attention to Mr. Frezza that he had skipped over voting on the upcoming meeting dates for the year 2013.

Mr. Pilozzi made the motion to approve the upcoming meeting dates. Mr. Anzelone seconded. A voice vote was taken; all in favor.

B. File 2013-01

LOCATION: 167 Putnam Avenue

OWNER/ APPLICANT: Michael Greico

LOT: AP 40 —Lot 227; 1.38 acres; B-2 Zone

EXISTING USE: Auto Detailing Shop

PROPOSAL: Signage for business

Dimensional Variance per Article VIII, § 340-41 Signs prohibited in all districts, § 304-43 Signs permitted in B districts

Mr. Michael Grieco, owner of the property, was sworn in and he explained to the board that his tenant. Mr. Grieco explained that the sign will be going fifteen feet in from the street and the sign will be illuminated and with a timer on it as well. The sign will be placed out of the way of any customers driving and out of the property.

No abutters for or against.

Mr. Pilozzi made the motion to approve with no stipulations. Mr. Anzelone seconded. A voice vote was taken; all in favor.

C. File 2013-01

LOCATION: 65 Shun Pike

OWNER: RI Resource Recovery Corp.

APPLICANT: RI Central Genco, LLC

LOT: AP 43 — Lot 588; 285,120 +/- sq. ft.; I Zone

EXISTING USE: Electric power generating plant

PROPOSAL: Expansion of electric power generating plant

Special Use Permit petitioned under Article XII § 340-75 Special Use Permit, Article III §340-8 Table of Use Regulations, subsection 5.2, 5.12 and 5.13 and Article V § 340-25
Authorized departures from yard regulations (C)

Mr. Robert Stolzman, attorney at Adler, Pollock and Sheehan was sworn in and he explained to the board that he is representing Rhode Island LFG Genco. Mr. Stolzman explained all about the procedure of burning excess gas in electricity. He explained about filters and how the system works. Mr. Stolzman explained that Broadrock Fuel is the owner of RILFG Genco, LLC. Broadrock is the owner of the company who wants to expand their pre-existing special use permit. Mr. Pilozzi questioned Mr. Stolzman about the type of filters they are using and why there are only three filters being use at the present time.

Mr. Robert Harris, consultant for the project, was sworn in and he explained to the board about his credentials and he is just a consultant and he does not hold a license for this type of job.

Mr. Pilozzi made a motion to make Mr. Harris a qualified consultant and. Mr. Anzelone seconded. A voice vote was taken; all in favor.

Mr. Harris explained to the board what his purpose is regarding this project and how long he has participated in this project. Mr. Pilozzi asked Mr. Harris about the filters and Mr. Nascenzi interrupted and explained to the chairman and the board that Mr. Pilozzi's concern is irrelevant to the application. He went on and stated that the applicant is here for an accessory structure and the equipment to be provided to expand on this special use permit not whether or not they have enough filters etc. Mr. Ballirano intervened and explained that both Mr. Nascenzi and Mr. Pilozzi are correct in both their points. Mr. Stolzman explained about how the filters work and what they will be doing in the future to make this situation better. Mr. Nascenzi then reinforced the fact that this applicant is here for the expansion of the equipment and the shed. Mr. Stolzman went over that fact they have already explained to the board about distance and filtering or air from the main building.

Mr. Pilozzi made a motion to take a ten minute recess. Mr. Lopardo seconded. A voice vote was taken; all in favor.

Recess 7:50

Back to order 8:00

Mr. Richard Fascia now joined the meeting.

Mr. Stolzman went through each of our seven standards and asked the board if they are satisfied with the building itself and if it would meet our requirements for a special use permit which will not adversely effect the surrounding neighborhood and all the neighbors.

Mr. Justin Parillo, abutter to the property, was sworn in and he explained that the noise and smell has gotten worse during the last two weeks. Mr. Parillo has been to every meeting regarding this project since it first brought to the table. Mr. Parillo's concerns were about smell and the noise. Mr. Ballirano explained to Mr. Parillo that unfortunately it is where it is and there is really nothing that can be done to elevate the smell since they are in compliance with the federal guidelines of smell.

Mr. Wayne Shippee, abutter to the property, was sworn in and he explained to the board that over the past two weeks there has been a significant smell of propane. Mr. Nascenzi explained tot Mr. Shippee that there was an explosion if the old Broadrock Facility because one of the fittings have failed. Mr.

Stolzman explained that propane is added to the gas and if indeed there is a smell then someone has to look into making sure it is calibrated correctly.

Mr. Harris stated that the odorant is required by federal law and they just got some odorant delivered and calibration process. So he is confident that the smell will dissipate within a month or so. And if the odor is still there than Mr. Shippee will have to file a report with the Building Official's Office.

Mr. Pilozzi made the motion to approve with the stipulation that if and when it gets all approvals from the appropriate boards then Mr. Nascenzi will have the make the ultimate decision. Mr. Anzelone seconded. A voice vote was taken; all in favor.

Mr. Frezza turned over the gavel to Mr. Pilozzi for the election of offices. Mr. Pilozzi proposed Mr. Frezza for Chairman; Himself for Vice-Chairman and Mr. Anzelone for secretary.

Mr. Frezza made a motion to approve. Mr. Pilozzi seconded the motion. A voice vote was taken; all in favor five to nothing.

Mr. Anzelone made a motion to make Mr. Pilozzi our designee to the Land Trust. Mr. Fascia seconded. A voice vote was taken; all in favor.

Mr. Pilozzi made a motion to adjourn. Mr. Anzelone seconded the motion A voice vote was taken; all in favor.

Adjourn 8:25 p.m.